



PATENT  
Application Serial No. 09/717,838  
Attorney Ref. No. 021US1

11-14-03  
#15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of  
Walter D. Gillespie  
App. Ser. No. 09/717,838  
Filed: November 21, 2000  
For: BONE GRAFT HARVESTER

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)  
) Group Art Unit: 3736  
)  
)  
) Examiner: Pamela Lynn Wingood

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on this date:

Date: October 29, 2003

Signature: 

Printed Name: JONATHAN SPANGLER

RESPONSE TO NOTICE OF ABANDONMENT

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Dear Sir or Madam:

In response to a Notice of Abandonment mailed on September 15, 2003, having a two month period for timely response under 37 CFR 1.181(f) which expires November 15, 2003, the applicant respectfully submits the following:

- (A) A copy of the Notice of Abandonment (2 pgs);
- (B) A Petition to Withdraw Holding of Abandonment (2 pgs); including:
  - (i) Exhibit A "Issue Fee Transmittal Form mailed July 10, 2003" (1 pg); and
  - (ii) Exhibit B "Return Receipt Postcard" evidencing receipt by the US Patent and Trademark Office of the Fee Transmittal Form on July 16, 2003. (1 pg).

Pursuant to 37 CFR 1.181(a), and as indicated in Section 711.03(c) of the Manual of Patent Examining Procedure, no fees are deemed necessary at this time. However, in the event that there are any additional fees to be charged or payments to be credited, the applicant hereby request that any charges or credits be made to Deposit Account No.: 502040 for Customer No.: 30328. In the event that there are any questions concerning the remarks above or the application in general, the Examiner is cordially invited to telephone the undersigned attorney so that prosecution may be expedited.

Respectfully submitted,  
NUVASIVE, INC.

By: 

Jonathan Spangler, Esq.  
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October 29, 2003